UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/165
5 March 1996

ORIGINAL: ENGLISH

LETTER DATED 5 MARCH 1996 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF GEORGIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the proposals of the Government of Georgia on the status of Abkhazia, Georgia.

We would highly appreciate if you have this letter and the attached proposals circulated as a document of the Security Council.

(Signed) George VOLSKI
Chargé d'affaires a.i.

96-05420 (E) 050396 060396

/...

Annex

Proposals of Georgia on the status of Abkhazia, Georgia

For several years now, the territory of Abkhazia - an integral part of Georgia where the two fraternal peoples, Abkhaz and Georgian, have lived intermingled from time immemorial - has been a zone of conflict which threatens the peace and stability of the entire Caucasus region.

Supported by foreign reactionary forces, a group of aggressive separatists has succeeded in gaining control of nearly all the territory of Abkhazia. They have committed ethnic cleansing and genocide against the Georgian population of the region, murdering thousands and driving over 200,000 others from their homes. They have also expatriated nearly 100,000 residents of various other ethnic origins, including half the Abkhaz themselves. Now, 75 per cent of the legal residents of Abkhazia are displaced or refugees.

Today, the criminal regime which has forcibly altered the demographics of this region by terrorizing its innocent population seeks to achieve world recognition of its new self-proclaimed "state". This recognition cannot be granted.

The Government of Georgia continues to seek a peaceful settlement of the conflict on the basis of determining the status of Abkhazia as a part of Georgia on the recommendations of the United Nations, the Organization for Security and Cooperation in Europe and the Commonwealth of Independent States. This would facilitate the immediate repatriation of those displaced, stabilization of the situation in the region, and the building of democratic institutions in Abkhazia.

It is unfortunate that the separatists continue to reject all proposals and ignore documents initialled by their own representatives, thereby intentionally stalemating, and thus dragging out, negotiations. They terrorize those displaced who have spontaneously returned to their homes. They disseminate propaganda to the effect that Georgia intends to impose upon Abkhazia a new Procrustean bed in the form of a unitary State.

In Georgia, the idea of building federal statehood is gaining momentum. In the new constitution, the issues of state and territorial arrangement are intentionally left open.

The following are the proposals of Georgia regarding the status of Abkhazia within the framework of a federal State:

1. A united federal State will be established within the borders of what was the Georgian Soviet Socialist Republic as from 21 December 1991.

2. Abkhazia, as a subject of the federation, will exercise wide discretionary power and will have its own constitution, anthem, flag, emblem, parliament, the highest executive and judicial bodies, and other attributes of statehood, whose competencies will be determined by both the federal and Abkhaz constitutions and

through a formal agreement on the delimitation of competencies between the federal State and Abkhazia.

The Abkhaz language will have the status of state language along with Georgian on the territory of Abkhazia.

3. The Government of Abkhazia will exercise full authority over:

(a) Formation of its supreme central and local state bodies and state management;

(b) Formation of the budget;

(c) Determining taxes and the method of collection;

(d) Forming a Supreme Court and Procuracy;

(e) Issues related to the Bar and Notariate;

(f) Issues related to culture, education and health care;

(g) Trade;

(h) Local roads and transport;

(i) Social welfare programmes;

(j) Sports and physical training programmes;

(k) Science;

(l) Use of natural resources.

4. The competencies of the federal Government will include:

(a) Foreign policy and foreign economic relations;

(b) Development and implementation of a defence policy;

(c) Armed forces and security;

(d) Monetary system;

(e) The customs service;

(f) Federal budget;

(g) Determining status and protection of state borders;

(h) Energy, national transport and communications;

(i) Environmental protection and natural disaster relief operations;

(j) Protection of human rights, civil liberties and national minority rights;

(k) Other competencies crucial to the existence of a federal State such as citizenship, criminal and civil legislation, etc.

Issues related to the introduction of a common currency, banking practice, development of armed forces, developing border and customs services will be addressed stage by stage and resolved through negotiation, taking into account current realities.

5. Abkhazia may enter into international agreements within the framework of its competencies, while keeping the respective federal bodies informed. The federal State will, however, be a single entity in the conduct of international relations and foreign policy, and in holding membership in international organizations.

6. The federal legislature will act within the limits agreed upon by both sides, incorporated into the Agreement on Delimitation of Competencies, and its decisions will be in effect over the entire territory of the federal State.

There will be an agreed number of seats reserved in the federal legislature for Abkhaz representation.

Decisions of the federal legislature directly affecting Abkhaz interests will come into force only by the consent of a simple or qualified majority of the Abkhaz representatives to the federal Parliament, depending on the type of majority by which the decision was taken.

7. Questions related to the preparation of the Agreement on Delimitation of Competencies, as well as the structures and functions of federal bodies, will be the subject of separate negotiations.